

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Jesse LeBlanc,

Case No. 19-cv-2401-SRN-KMM

Plaintiff,

v.

Robert Wilkie, in his official
capacity as Secretary of the
United States Department of
Veteran Affairs,

STIPULATION

Defendant.

Plaintiff Jesse LeBlanc and Defendant Robert Wilkie, in his official capacity as Secretary of the United States Department of Veteran Affairs, stipulate to the following for purposes of Counts II, III, and IV of Plaintiff's Amended Complaint, ECF No. 42:

1. Jesse LeBlanc is "disabled" within the meaning of the Rehabilitation Act, 29 U.S.C. § 701 *et seq.* Specifically, Mr. LeBlanc, at all times relevant, suffered from a physical impairment (vestibular dysfunction) that substantially limited one or more major life activities.
2. Jesse LeBlanc is a "qualified individual" under the Rehabilitation Act, 29 U.S.C. § 701 *et seq.* Specifically, Mr. LeBlanc, at all times relevant, could, "with or without reasonable accommodation, perform the essential functions" of the Detective and Training Instructor positions, which Mr.

EXHIBIT

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LeBlanc applied for. Mr. LeBlanc also “possessed the requisite skill, education, expertise, and training” for said positions.

3. Jesse LeBlanc suffered “an adverse employment action” as a result of not being selected/hired for the Detective and Training Instructor positions.

Furthermore, Plaintiff Jesse LeBlanc and Defendant Robert Wilkie, in his official capacity as Secretary of the United States Department of Veteran Affairs, stipulate to the following for purposes of Count I of Plaintiff’s Amended Complaint, ECF No. 42:

4. Jesse LeBlanc is “disabled” within the meaning of the Rehabilitation Act, 29 U.S.C. § 701 *et seq.* Specifically, Mr. LeBlanc, at all times relevant, suffered from a physical impairment (vestibular dysfunction) that substantially limited one or more major life activities.

These stipulations are made for purposes of summary judgment motions and any trial in this matter.

Dated: January 19, 2020

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Dated: January 19, 2020

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